I value morality as ought implies a moral obligation.

I advocate a metaethical framework of practical reason, or the ability to derive normative claims solely from a priori human reason. Metaethics narrows the focus of ethical claims by determining which arguments count as warrants for standards. Therefore, only arguments that appeal to humans’ ability to act as rational agents are relevant.

All moral obligations must link to a conception of practical reason as practical reason alone can supply an obligation. David Velleman[[1]](#footnote--1) explains:

As we have seen, **requirements that depend for their force on some external source of authority turn out to be escapable because the authority behind them can be questioned. We can ask, “why should I act on this desire?” or “why should I obey the U.S. government?” or even “Why should I obey God?”** And as we observed in the case of the desire to punch someone in the nose, **this question demands a reason for acting. The authority we are questioning would be vindicated, in each case, by the production of a sufficient reason.** /p What this observation suggests is that **any purported source of practical authority depends on reasons for obeying it—and hence on the authority of reasons. Suppose, then, that we attempted to question the authority of reasons themselves,** as we earlier questioned other authorities. **Where we previously asked “Why should I act on my desire?” let us now ask “Why should I act for reasons?”** shouldn’t this question open up a route of escape from all requirements? /p **As soon as we ask why we should act for reasons, however, we can hear something odd in our question. To ask “why should I?” is to demand a reason; and so to ask “why should I act for reasons?” is to demand a reason for acting for reasons.** **This demand implicitly concedes the very authority that it purports to question—namely, the authority of reasons. Why would we demand a reason if we didn’t envision acting for it? If we really didn’t feel required to act for reasons, then a reason for doing so certainly wouldn’t help. So there is something self-defeating about asking for a reason to act for reasons.**

Moreover, only ethical theories that appeal to practical rationality give agents a normative reason to act on moral statements. Other moral rules that appeal to an external standard not predicated on rational choice fail to guide action because agents can simply question why they ought to act morally.

Additionally, to determine the stringency of duties derived from a maxim, all rational agents must be able to will the maxim, since there is no reason to reject a maxim for one person while making it sufficient to guide the actions of another. If ethics are based in rationality, any state of affairs or actor-specific concern is irrelevant because they don’t appeal to the practical reason of humans. This leaves only maxims that can be applied as universal law as action guiding for rational agents.

However, breaking a mutual agreement leads to a contradiction because when I break a promise, I view the promise I give you as reason upon which you should act. However, I recognize those reasons as non-binding and, thus, I don’t recognize them as reasons at all. That denies the legitimacy of reason, and is, thus, inconsistent with practical reason because I am claiming that agents ought to be guided by different non-universizable reasons.

Thus, the standard is consistency with agreements.

I contend that treating juveniles as adults violates international agreements. Connie de la Vega and Michelle Leighton[[2]](#footnote-0) write:

**The U**nited **S**tates **ratified the ICCPR in 1992.** The Committee on Human Rights, **the oversight authority for the treaty, determined** in 2006 **that the U**nited **S**tates **is not in compliance with the treaty because it allows [life without parole]** LWOP **sentences for juvenile**s. The Committee made this determination even considering that the United States had taken a reservation to the treaty to allow the trying of juveniles in adult court in “exceptional circumstances.” **The** extraordinary **breadth and rapid development in the U**nited **S**tates **of sentencing child offenders to LWOP since** the United States’ **ratification** of the ICCPR **contradicts the assertion that** **the U**nited **S**tates **has applied this sentence only in exceptional circumstances.** In fact, the total number of children tried as adults and sentenced to LWOP now exceeds 2484, many of whom were first-time offenders. In evaluating the United States’ compliance with the treaty in 2006, the Committee on Human Rights found the United States to be out of compliance with its obligations. The Committee concluded that the United States’ practice of sentencing child offenders to LWOP violates article 24(l), which states, “Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protec- tion as are required by his status as a minor.”The Committee expressed its grave concern “that the treatment of children as adults is not applied in exceptional circumstances only . . . . The Committee is of the view that sentencing children to life sentence without parole is of itself not in compliance with article 24(l) of the Covenant.” **The Committee Against Torture**, the official oversight body for the Convention Against Torture, Cruel, Inhuman or Degrading Treat- ment or Punishment, **to which the U**nited **S**tates **is a legal party, evaluated U**nited **S**tates’ **compliance** in 2006. **The committee commented that the life imprisonment of children “could constitute cruel, inhuman or degrading treatment or punishment,” in violation of the treaty.**

Moreover, the ICCPR requires movement towards a separate juvenile system. Roger Levesque[[3]](#footnote-1) writes:

Despite the long history of the notion of children's rights, the incorporation of children's rights into the juvenile justice system is a recent development. It was not until 1966, with the adoption of **the International Covenant on Civil and Political Rights** ("International Covenant"), that juveniles' rights in judicial proceedings made their first formal appearance. The International Covenant **urged states to separate juvenile offenders from their adult counterparts, speedily adjudicate claims, adopt different trial procedures for juveniles, consider the juvenile's age, and promote rehabilitation**. Although the protections afforded by the International Covenant are limited, these protections are still considerably revolutionary. At a minimum, **all nations that ratify the International Covenant must treat some juveniles differently from adults. In addition, ratifying nations must move toward implementing a separate juvenile justice system that includes rehabilitation.** Despite demonstrating the differing needs of youth from adults, the International Covenant essentially allows individual nation states the authority to determine the nature of the separate system and its requisite procedures.

Thus, by treating juveniles as adults, the US is inconsistent with its international obligations.

1. David. Velleman Self To Self. 2006. Cambridge University Press. [↑](#footnote-ref--1)
2. Connie de la Vega and Michelle Leighton [Connie de la Vega is Professor of Law and Director of the Frank C. Newman International Human Rights Clinic, University of San Francisco School of Law. Michelle Leighton is Director of Human Rights Programs, Center for Law and Global Justice, University of San Francisco School of Law]“Sentencing Our Children to Die in Prison: Global Law and Practice” University of San Francisco Law Review, Vol. 42. Spring 2008. [↑](#footnote-ref-0)
3. Roger Levesque [Assistant Professor of Criminal Justice, Indiana University. J.D., Columbia University School of Law, 1993; Ph.D., University of Chicago, 1990] “Future Visions Of Juvenile Justice: Lessons From International And Comparative Law” 29 Creighton L. Rev. 1563, June 1996. [↑](#footnote-ref-1)